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INR/IAA (BEN-YEHUDA)

E.O. 12958: N/A

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SUBJECT: HAITI ELECTIONS: STATE COMMISSION ON CANDIDATE
NATIONALITY LEGALIZED

REF: A. PAP 2656

[1](#)B. PAP 2774

[1](#)1. The Interim Government of Haiti (IGOH) published a decree dated October 27 legalizing the State Commission on the Nationality of Candidates (CENC). According to the decree, the Commission is to ensure that all candidates comply with nationality requirement in the Haitian constitution. To that end, the Commission can obtain documents from any state institution, request documents and information from any other organization or person, require that candidates submit any documents it deems necessary to establish their nationality, and demarche the international community. According to the law, each candidate must answer questions concerning their nationality using a questionnaire they must submit to the CENC. Any candidate who refuses to comply with the CENC or fill out its questionnaire will be removed from the candidate list. Once the CENC reaches its conclusions, it is to submit its recommendations to the Provisional Electoral Council (CEP), which is to remove candidates accordingly.

[1](#)2. The CENC questionnaire on nationality, due October 31 for presidential candidates, asks a series of questions concerning candidates, origin and nationality. It also requires candidates to swear they "never acquired by another nationality by naturalization abroad and lost by that act their Haitian nationality according to article 13 of the Haitian Constitution" and "do not hold double nationality, which is prohibited by article 15 of the Haitian Constitution." Several presidential candidates, including Dumarsais Simeus and Samir Mourra, have not submitted the questionnaire and are expected to fight if they are excluded from the final list (ref A).

[1](#)3. Comment: The IGOH branded the CENC a non-political effort to eliminate candidates who do not meet the nationality requirements of the Haitian Constitution, but the IGOH's public focus on Simeus has politicized the dispute. Prime Minister Latortue told visiting S/CRS Director Pascual on November 4 that the CENC would focus on presidential candidates and only recommend disqualifying candidates based on proof of dual nationality, not failure to submit the CENC questionnaire (ref B). This tactic may result in disqualified candidates arguing that the IGOH has applied a double standard; well known dual-nationals can be disqualified while lesser known dual-nationals, or those that the IGOH does not want to disqualify, can remain on the ballot.

CARNEY